

TITLE 8: AGRICULTURE AND ANIMALS  
CHAPTER I: ILLINOIS DEPARTMENT OF AGRICULTURE  
SUBCHAPTER v: LICENSING AND REGULATIONS

PART 1300  
CANNABIS REGULATION AND TAX ACT

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## 1300.APPENDIX A Authorized Pesticides

AUTHORITY: Implementing and authorized by the Cannabis Regulation and Tax Act [410 ILCS 705].

SOURCE: Emergency rules adopted at 44 Ill. Reg. 1466, effective January 1, 2020, for a maximum of 180 days; emergency amendment to emergency rule at 44 Ill. Reg. 8349, effective April 30, 2020, for the remainder of the 180 days; adopted at 44 Ill. Reg. 10364, effective June 3, 2020; expedited correction at 44 Ill. Reg. 16943, effective June 3, 2020; amended at 47 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART D: CRAFT GROWER

### Section 1300.335 Canopy Modification

- a) A craft grower may apply to the Department to increase its canopy space in increments of 3,000 square feet up to the maximum canopy space provided for under the Act for a craft grower.
  - 1) A craft grower may request an increase of 3,000, 6,000 or 9,000 square feet of canopy space.
  - 2) At no time may a licensed craft grower's canopy space exceed the maximum canopy space provided for under the Act for a craft grower.

- 172                   3)     For cannabis grow operations with 6,000 square feet of canopy or more,  
173                   all HVAC units must be variable refrigerant flow HVAC units, or other  
174                   more energy efficient equipment.  
175
- 176       b)     Before increasing its canopy space, a craft grower must complete an application  
177             and submit all required fees for license and construction approval pursuant to  
178             Section 1300.330 on forms provided by the Department.  
179
- 180       c)     The Department will approve a craft grower's request for an increase of canopy  
181             space based on the following criteria:  
182
- 183             1)     The market need for additional cannabis production, as indicated by any  
184                   of the following: Illinois adult use cannabis monthly sales figures;  
185                   wholesale cannabis sales figures; inventory tracking data; whether the  
186                   craft grower has sold 50% or more of its packaged product consistently  
187                   over the previous two fiscal quarters; availability of product  
188                   manufactured within a 3 month window of sale; cost and availability of  
189                   products used by licensed cannabis infusers, and any other data the  
190                   Department may rely on to evaluate market need;  
191
- 192             2)     The craft grower's ability to meet all requirements and commitments  
193                   contained in its original license application, including any additional  
194                   modifications;  
195
- 196             3)     The craft grower's ability to cultivate additional cannabis at the square  
197                   footage requested;  
198
- 199             4)     The craft grower's history of compliance or noncompliance with the Act  
200                   or rules and with any other relevant law or rules applicable to the  
201                   growing or selling of cannabis;  
202
- 203                   A)     Deficiencies alone would not be considered as a basis for denying  
204                   a licensee's request for additional canopy space;  
205
- 206                   B)     A licensee shall not be assessed more than three fines in a  
207                   calendar year and be granted a request for expansion in that year;  
208                   and  
209
- 210             5)     Any additional information presented by the craft grower supporting the  
211                   application for canopy space expansion.  
212
- 213       d)     The Department may decrease a craft grower's canopy space by 3,000 square feet  
214             if the craft grower has sold less than 50% of its packaged product consistently

215 over the previous two fiscal quarters preceding the notice to decrease canopy  
216 space. The Department shall notify a craft grower at least 120 days prior to  
217 decreasing its canopy space.  
218

219 e) The Department shall not decrease a craft grower's canopy space more than once  
220 in any twelve month period.  
221

222 f) The Department may not reduce a craft grower's canopy space below 5,000  
223 square feet.  
224

225 (Source: Added at 47 Ill. Reg. \_\_\_\_\_ effective\_\_\_\_\_)